

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

DAARON SHEARS,
V. Plaintiff

LENA FEEN-EDWARDS,
Defendant

Sued in individual & official
capacity

Case No. 1:23-cv-2050

COMPREHENSIVE
COMPLAINT
Triable by Jury Trial

I. Jurisdiction & Venue

This is a civil action authorized by title 42 U.S.C. 1983 to redress the deprivation under the color of State law of rights secured under & by the U.S. Constitution. This Honorable court has jurisdiction under title 28 U.S.C. Section 1331 & 1333 (a)(3).

Plaintiff Daaron Shears seeks declaratory relief pursuant to title 28 U.S.C. § 2201 & 2202.

The middle district of Pennsylvania is an appropriate venue under title 28 U.S.C. § 1331(b) because it is where the facts given rise to the claims that occurred....

II. Plaintiff

Plaintiff [Daaron Shears] was and at all times mentioned herein this complaint a Prisoner at Pennsylvania Department of Correction SCI-Rockfield Box A 1 Rockfield Place Bellefonte, Pa 16823.

III. Defendant

1. Defendant [LENA FEEN-EDWARDS] is and was at all time mentioned a PAC medical Provider here at SCI-Rockview Box A; Rockview Place Bellefonte, PA 16823.

IV. Facts OF Complaint

- 1). Plaintiff Dearon Shears reported to ("PM") registered Nurse "Melissa Sue Bollinger" about a Painful lump on the right side of his lower temple close to right ear of which was caused from Plaintiff falling and hitting his face off of his Cell sink / toilet and then the above said nurse elicited Plaintiff a medical Sick-call of which Plaintiff filled out on November 1, 2023. And then;
- 2). At 7:30 Am thru 7:45 AM on November 7, 2023 Defendant [LENA FEEN-EDWARDS] showed up at Plaintiff Dearon Shears housed cell of G-A 1003 and knocked on the cell door and stated; "Sick-Call", the Plaintiff then walked to the door holding the right side of his Face as he was in Severe Pain. (See Exhibit No.1)
- 3). Defendant [LENA FEEN-EDWARDS] while behind the G-A 1003 cell door Stated to Plaintiff [Dearon Shears] " LET ME SEE YOUR RIGHT SIDE OF YOUR FACE"!

4). Plaintiff [Daaron Shears] has then put his right side of his face up to the cell glass window, then the defendant [LENA FEEN-EDWARDS] Stated to Plaintiff "WE DON'T REMOVE CISPS OR TUMORS HERE AT SCI-ROCKVIEW"?

5). Plaintiff [Daaron Shears] had stated to defendant [LENA FEEN-EDWARDS] "WHAT ARE YOU GONNA DO FOR THE PAIN"? DEFENDANT [LENA FEEN-EDWARDS] walked away from GA 1003-01 cell while stating "IM A START YOU ON ANTIBIOTIC CALLED BACTRIM, ON 11/10/2023" (See CCTV video footage dated on 11/10/2023 at approximately at 7:30 AM Thru 7:45 AM of GA BLOCK in BMU UNIT).

6). Plaintiff [Daaron Shears] was provided antibiotic [BACTRIM] on 11/10/2023 which was ordered twice a day.

7). DEFENDANT [LENA FEEN-EDWARDS] has failed to accurately and professionally Diagnose Plaintiff [Daaron Shears] and has failed to provide medication for the pain that he is perpetually suffering.

- 8). Plaintiff [Daaron Shears] is being refused to be accurately diagnosed by the Defendant [LENIA ~~FEEN~~-EDWARDS] of which she stated to (RN) Registered nurse Melissa Sedens that "Plaintiff has an ingrowing hair". (See medical notes of November 2023.) and;
- 9). Defendant [LENIA ~~FEEN~~-EDWARDS] finding and/or diagnosis is intentionally, knowingly and recklessly incorrect and is in contradiction of previous diagnosis from SCI-Forrest [Doctor Gena Raju] of which she diagnosed Plaintiff [Daaron Shears] on 1/21/22 (Localized swelling, mass and lump, unspecified) (See Exhibit No 2).
- 10). Plaintiff [Daaron Shears] has and continues to file ("SICK-CALL") slips without any response and without medical treatment for the pain and suffering that he is unfortunately forced to deal with.

V. LEGAL CLAIMS OF COMPLAINT

Plaintiff Daaron Shears realleges and incorporate by reference—Paragraphs # 1-10.

Count 1. Eighth Amendment—Deliberate Indifference

DEFENDANT LENA FEEN-EDWARDS

Violated Plaintiff Daaron Shears right to be free from cruel and unusual punishment by deliberate indifference to a serious medical need in that, she didn't provide or [T]ake any action to adequately and accurately diagnose Plaintiff by maliciously, intentionally, knowingly and recklessly misdiagnosing Plaintiff while having prior knowledge Plaintiff was previously diagnosed with a swollen lump.

DEFENDANT LENA FEEN-EDWARDS

Violated Plaintiff Daaron Shears right to be free from cruel and unusual punishment in that, she knew of the substantial risk by serious harm in as much DEFENDANT LENA FEEN-EDWARDS intentionally knowingly and recklessly misdiagnosed Plaintiff while having prior knowledge Plaintiff was previously diagnosed with a swollen lump.

VI. EXHAUSTION OF REMEDIES

- 1). Plaintiff [Daaron Shears] has been denied grievances and the Conventional staff here at SCI-Rockview's "Bmu" has given orders to inmates to not provide Plaintiff with any grievances. (See Exhibit No.3)
- 2). As a result of these constitutional violations Plaintiff [Daaron Shears] suffers arbitrary Quantum of injuries and damages described in the Facts of the complaint.
- 3). Plaintiff [Daaron Shears] has no plain, adequate or complete remedy at law to redress the wrongs described herein.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff [Daaron Shears] respectfully prays that this most honorable Court enter judgment granting Plaintiff the following relief:

- (A). Compensatory relief in the respectful amount of \$ 75,000.00 Seventy Five thousand USD.
- (B). Punitive Damages in the amount of \$ 50,000.00 Fifty thousand USD.
- (C). Transferred to SCI-Phoenix general Population.
- (D). A jury trial on all issues triable by jury.
- (E). Plaintiff Daaron Shears cost in this suit.
- (F). Any additional relief this honorable court deem just, proper and equitable. (e.g. surgery)

Verification

I [Daaron Shears] read the foregoing complaint and hereby verify that the foregoing matters alleged therein are true except also matter alleged information and belief, as to those i believe them to be true. I [Daaron Shears] certify under the Penalty of Perjury that the foregoing is true and correct. Pursuant to title 28 U.S.C. § 1746.

Certificate of Service

I [Daaron Shears] hereby certify a true and correct copy of the within complaint and attached Exhibits Pursuant to 28 U.S.C. § 1746.

Via U.S. Mail

Clerk of Court
U.S. District Court
Middle District of PA
235 N. Washington Avenue
P.O. Box 1148
Scranton, PA 18501-1148

Date 12/6/23

b1 DAARON A. SHEARS

Daaron Shears KV1912
SCI-Rockview
Box A1 Rockview Place
Bellefonte, PA 16823

Davon Sheens KV.1912
SC I- Rockview
Box A I Rockview PA
Bellefonte, PA 16823



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SCRANTON

DEC 11 2023

PER S DEPUTY CLERK

Clerk of Court

U.S. District Court
Middle District of Pa
235 N. Washington Ave

P.O. Box 1148
Scranton, PA 18501-1148

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